

Response

Applicant: Craig R. White

Serial No.: 09/977,687

Filed: October 16, 2001

Docket No.: 10011785-1

Title: CENTRALIZED BILLING CREDIT SYSTEM UTILIZING A PREDETERMINED UNIT OF USAGE**REMARKS**

The following Remarks are made in response to the Non-Final Office Action mailed March 21, 2008, in which claims 1-8 and 21-26 were rejected.

Claims 1-8 and 21-26 remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 102

Claims 1-4 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Yamaguchi US Patent No. 6,385,675.

Applicant respectfully traverses this rejection.

Independent claim 1 includes, amongst things, "a billing system which accumulates information on usage of the printer device by the user, generates an accounting of usage based on the information, and associates the accounting of usage with a predetermined unit of usage," wherein "the billing system credits the owner of the printer device an amount corresponding to the predetermined unit of usage of the printer device by the user."

With respect to the Yamaguchi reference, Applicant submits that this reference does not disclose an electronic transaction recording system for accumulating data from a printer device having an owner and a user as claimed in independent claim 1, including a billing system which accumulates information on usage of a printer device by a user, generates an accounting of usage based on the information, and associates the accounting of usage with a predetermined unit of usage, wherein the billing system credits the owner of the printer device an amount corresponding to the predetermined unit of usage of the printer device by the user.

Regarding the Yamaguchi reference, the Yamaguchi reference discloses a printer or copying machine which operates according to several different functional and operational modes, a host computer which sends a print or copy order to the printer or copying machine, and an accounting means which calculates charges based on the order before it is carried out by the printer or copying machine and which transmits those charge to the host computer (see Abstract). More specifically, the Yamaguchi reference discloses an image processor 101 which includes an account processor 101H for processing the cost of the job based on an

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accounting program, and a controller 1011 for controlling the accounting operations, the image processing operations, the communications, and the changing of the accounting programs (see Fig. 2; col. 2, lines 54-65).

As such, the Yamaguchi reference provides that the controller 1011 controls the digital copying machine 100 so that it carries out a function specified by one of the host computers 102 such that the controller then logs the job and prepares an account based on the log, and gives an account notice to each host computer according to a predetermined timing, wherein the account notice may be sent to the appropriate host computer 102 along with each copying job, or periodically, such as monthly, or when the total charge exceeds a predetermined amount, or as requested by the user (col. 2, line 65 - col. 3, line 8). In this regard, the Yamaguchi reference provides that:

The accounting operation is carried out based on the following parameters: an acceptance time (this may be, for example, a week, a day or a holiday, daytime or nighttime, etc.), the number of pages to be copied, the kind of paper to be used in the copying operation, such as ordinary paper or OHP (Overhead Transparency Paper), etc., paper size, size of the file, name of the user (discountable or not), copy mode (full-color copy or mono-color copy, etc. in a case where the copying machine 100 is a color copying machine), necessity for logging after copying, user functions (these may be expansion functions or ordinary functions) and time (emphasis added) (col. 3, lines 9-21).

In the accounting operation, however, the Yamaguchi reference does not disclose crediting the owner of the printer or copying machine an amount corresponding to a predetermined unit of usage of the printer or copying machine by the user. More importantly, the Yamaguchi reference does not even mention the owner of the printer or copying machine. The Yamaguchi reference, therefore, does not disclose a billing system which accumulates information on usage of a printer device by a user, generates an accounting of usage based on the information, and associates the accounting of usage with a predetermined unit of usage, wherein the billing system credits the owner of the printer device an amount corresponding to the predetermined unit of usage of the printer device by the user, as claimed in independent claim 1.

In view of the above, Applicant submits that independent claim 1 is patentably distinct from the Yamaguchi reference and, therefore, is in a condition for allowance.

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Applicant, therefore, respectfully requests that the rejection of claims 1-4 and 7 under 35 U.S.C. 102(e) be reconsidered and withdrawn, and that claims 1-4 and 7 be allowed.

Claim Rejections under 35 U.S.C. § 103

Claims 5, 6, 8, and 21-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamaguchi US Patent No. 6,385,675, in view of Okuda et al. US Patent No. 7,034,952.

Applicant respectfully traverses this rejection.

Claims 5, 6, 8, and 21-26 depend from independent claim 1 and, as such, each include all of the limitations of independent claim 1. As outlined above, Applicant submits that the Yamaguchi reference does not disclose a billing system which accumulates information on usage of a printer device by a user, generates an accounting of usage based on the information, and associates the accounting of usage with a predetermined unit of usage, wherein the billing system credits the owner of the printer device an amount corresponding to the predetermined unit of usage of the printer device by the user, as claimed in independent claim 1.

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). As the Yamaguchi reference does not disclose all the claim limitations of independent claim 1, Applicant submits that the Examiner has not established a *prima facie* case of obviousness of dependent claims 5, 6, 8, and 21-26. Applicant, therefore, respectfully requests that the rejection of claims 5, 6, 8, and 21-26 under 35 U.S.C. 103(a) be reconsidered and withdrawn, and that claims 5, 6, 8, and 21-26 be allowed.

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In view of the above, Applicant respectfully submits that pending claims 1-8 and 21-26 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Response should be directed to either Jeff Limon at Telephone No. (541) 715-5979, Facsimile No. (541) 715-8581 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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